

REZONING REPORT

▶ **FILE #:** 8-B-20-RZ

AGENDA ITEM #: 8

AGENDA DATE: 8/13/2020

▶ **APPLICANT:** LETICIA HERNANDEZ

OWNER(S): Leticia Hernandez

TAX ID NUMBER: 50 053

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 6129 Babelay Rd.

▶ **LOCATION:** North side of Babelay Rd., south of Edmondson Ln., west of Harris Rd.

▶ **APPX. SIZE OF TRACT:** 9.6 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Babelay Road is a local road with an 18.5-foot pavement width inside a 60-foot right-of-way

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Septic

WATERSHED: Love Creek

▶ **PRESENT ZONING:** CB (Business and Manufacturing)

▶ **ZONING REQUESTED:** A (Agricultural)

▶ **EXISTING LAND USE:** Single family residential

▶ EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: LDR (Low Density Residential) and HP (Hillside Overlay) - A (Agricultural)

South: LDR (Low Density Residential) - A (Agricultural) and PR (Planned Residential)

East: LDR (Low Density Residential) - A (Agricultural)

West: LDR (Low Density Residential) - A (Agricultural)

NEIGHBORHOOD CONTEXT: This is a rural area consisting of mostly single family residential lots, though there are a couple of neighborhoods branching off of Babelay Road zoned PR (Planned Residential) that have developed with a higher density.

STAFF RECOMMENDATION:

▶ **Approve A (Agricultural) zoning because it is consistent with the Northeast County Sector Plan's Low Density Residential designation and with the surrounding development and because it brings the zoning into compliance with the sector plan designation.**

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. This area is largely rural and agricultural in character, consisting mostly of large lots with detached residential dwellings. The applicant's plan to demolish the existing house on this property and replace it with a new single family detached house is consistent with the other lots along Babelay Road.
2. There have been no significant changes in this area that would prompt a rezoning. However, the requested A (Agricultural) zoning is consistent with the LDR designation for this property and would bring it into compliance with the sector plan.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The A (Agricultural) zone is intended to provide for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The area is largely rural in character and many surrounding properties are zoned for agricultural activities.
2. This addition of more A (Agricultural) zoned acreage should not have any adverse effects on any other parts of the county.
3. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.

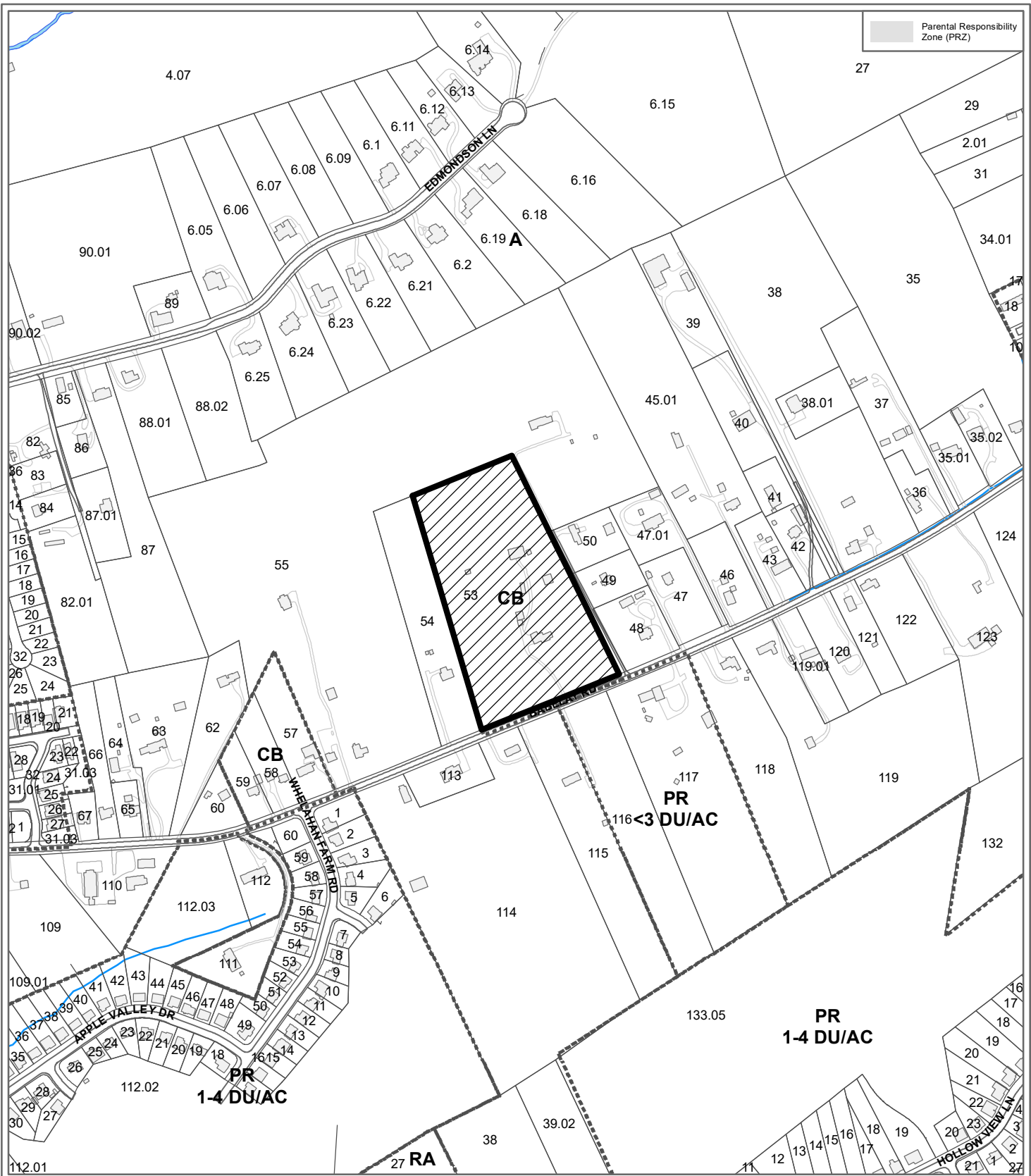
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The existing CA (General Business) zoning is nonconforming with the Northeast County Sector Plan's LDR designation since it is not an allowed zone within the LDR land use class. The LDR designation does support Agricultural zoning with up to 5 du/ac in the Urban Growth Area of Knox County. Rezoning this property brings the zoning into compliance with the sector plan.
2. This rezoning is not conflict with the General Plan or any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/28/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**8-B-20-RZ
REZONING**

From: CB (Business and Manufacturing)
To: A (Agricultural)



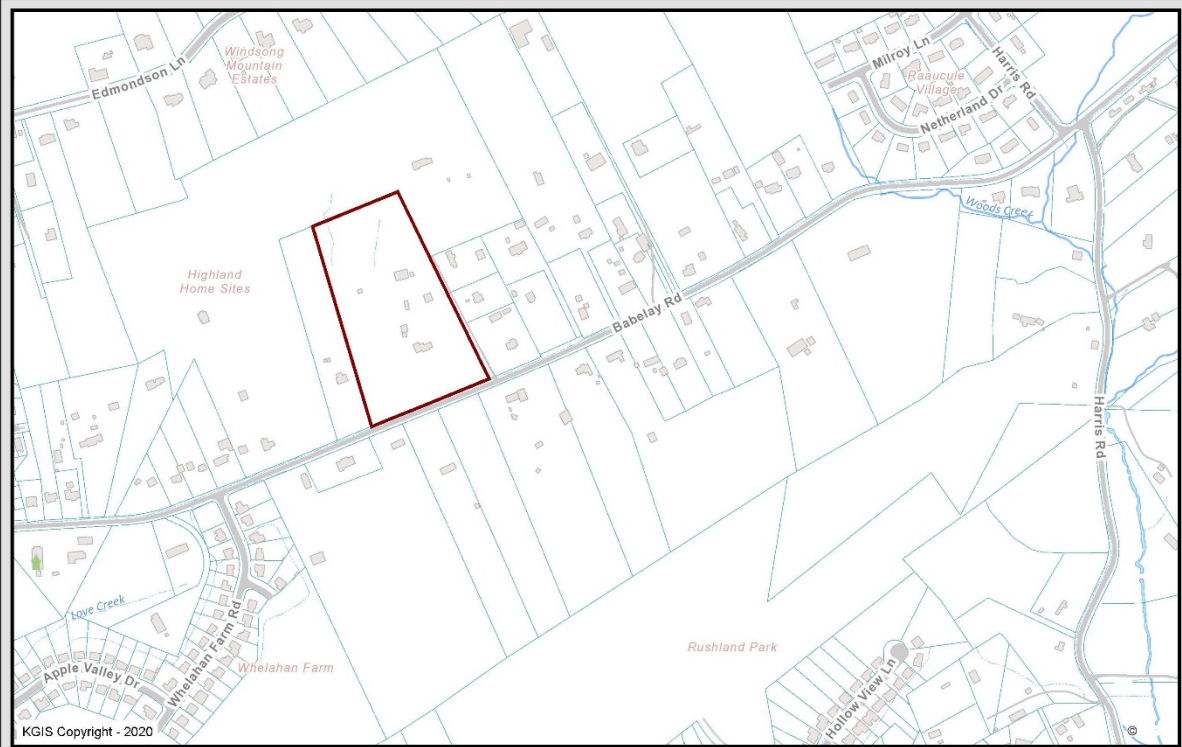
Petitioner: Leticia Hernandez

Map No: 50
Jurisdiction: County



Original Print Date: 7/15/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

8-B-20-RZ
EXHIBIT A. Contextual Images



8-B-20-RZ: Location Map
6129 Babelay Road
Knoxville - Knox County - KUB Geographic Information System

Printed: 7/12/2020 at 1:31:29 PM

0 250 500 1,000
ft

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8-B-20-RZ: Aerial Map
6129 Babelay Road
Knoxville - Knox County - KUB Geographic Information System

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0 125 250 500
ft

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8-B-20-RZ
EXHIBIT A. Contextual Images

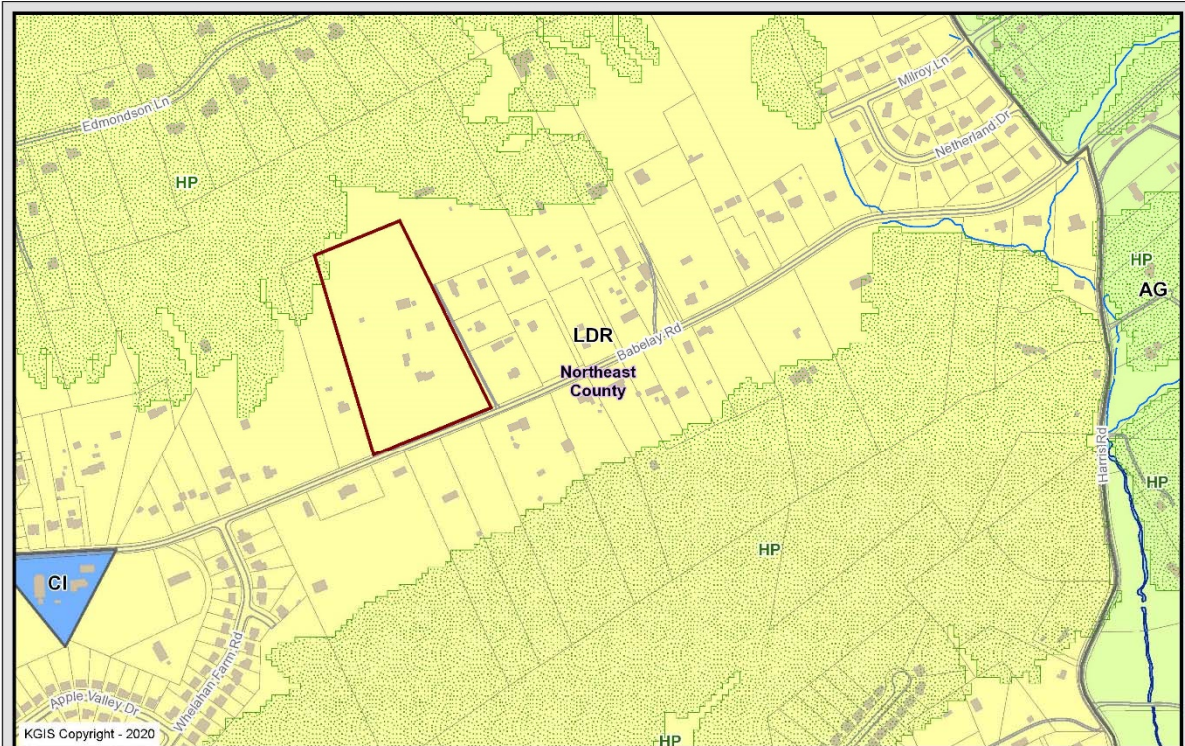


8-B-20-RZ: Existing Land Use Map
 6129 Babelay Road
 Knoxville - Knox County - KUB Geographic Information System

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0 250 500 1,000
 ft

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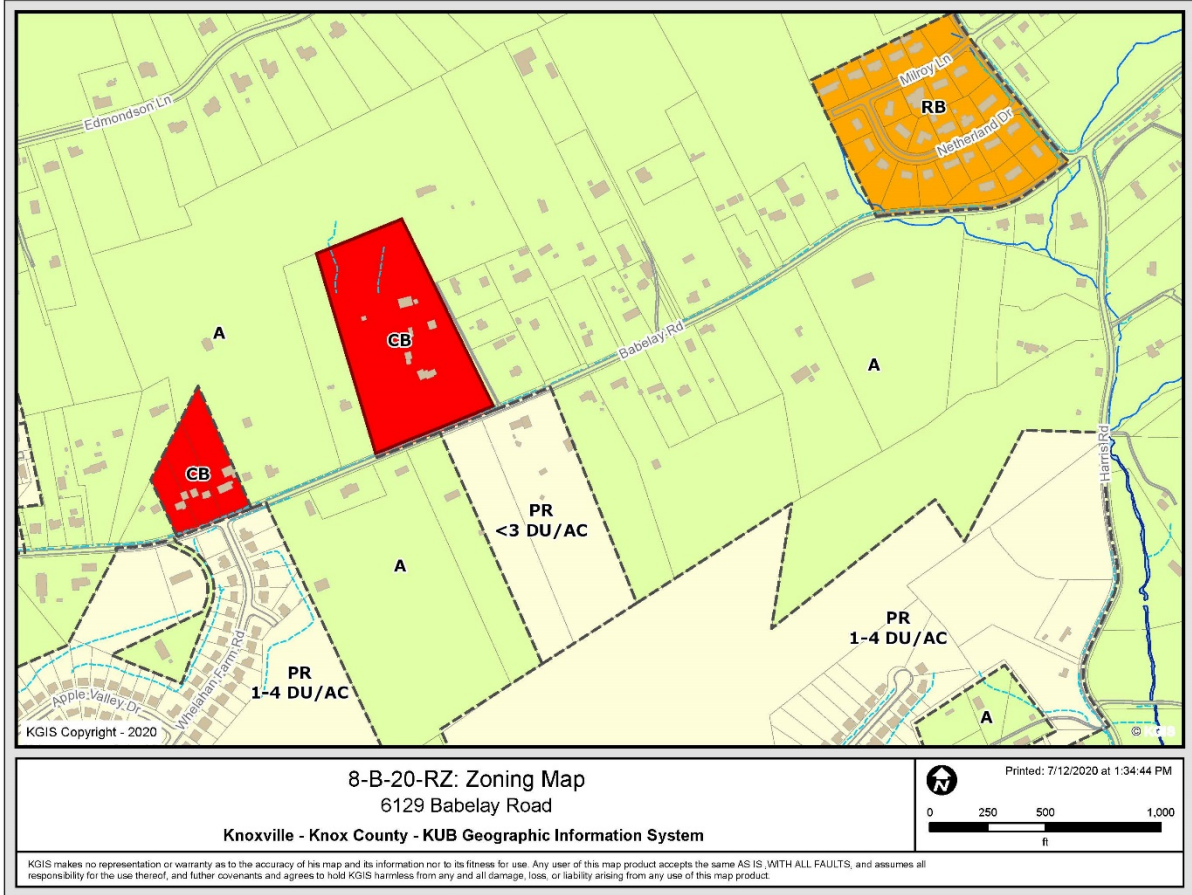
8-B-20-RZ: Sector Plan Map
 6129 Babelay Road
 Knoxville - Knox County - KUB Geographic Information System

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0 250 500 1,000
 ft

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8-B-20-RZ
EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

Leticia Hernandez

Applicant Name

property owner

Affiliation

June-15-2020

Date Filed

8/13/2020

Meeting Date (if applicable)

8-B-20-PZ

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

maria cristina

Name

Company

6129 Babelay Rd

Address

Knoxville

City

TN

State

37924

Zip

865-769-8075

Phone

moltiz@icstudio.com

Email

CURRENT PROPERTY INFO

Leticia Hernandez

Owner Name (if different)

865-643-6700

Owner Address

Owner Phone

6129 Babelay Rd Knox TN 37924

Property Address

Parcel ID

050 053

South side of Babelay, N/S south of Edmonson Ln

General Location

Tract Size

9.6 acres

District B

Jurisdiction (specify district above)

- City
- County

CB (Business and Manufacturing)

Zoning District

Northeast County

Planning Sector

UDR (Low Density Residential)

Sector Plan Land Use Classification

Urban Growth Area

Growth Policy Plan Designation

vacant land (existing houses being demolished)

Existing Land Use

Septic (Y/N)

NA-septic

Sewer Provider

Water Provider

REQUEST

DEVELOPMENT

Development Plan Use on Review / Special Use

Residential Non-Residential

Home Occupation (specify): _____

Other (specify): _____

SUBDIVISION

Proposed Subdivision Name _____ Unit / Phase Number _____

Parcel Change

Combine Parcels Divide Parcel Total Number of Lots Created: _____

Other (specify): _____

Attachments / Additional Requirements

ZONING

Zoning Change: Agricultural
Proposed Zoning

Plan Amendment Change: N/A
Proposed Plan Designation(s)

Property Use (specify) single family residential Proposed Density (units/acre) n/a Previous Rezoning Requests none

Other (specify): _____

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (Final Plat only)
- Use on Review / Special Use (Concept Plan only)
- Traffic Impact Study

FEE 1:	\$830	TOTAL: \$830
FEE 2:		
FEE 3:		

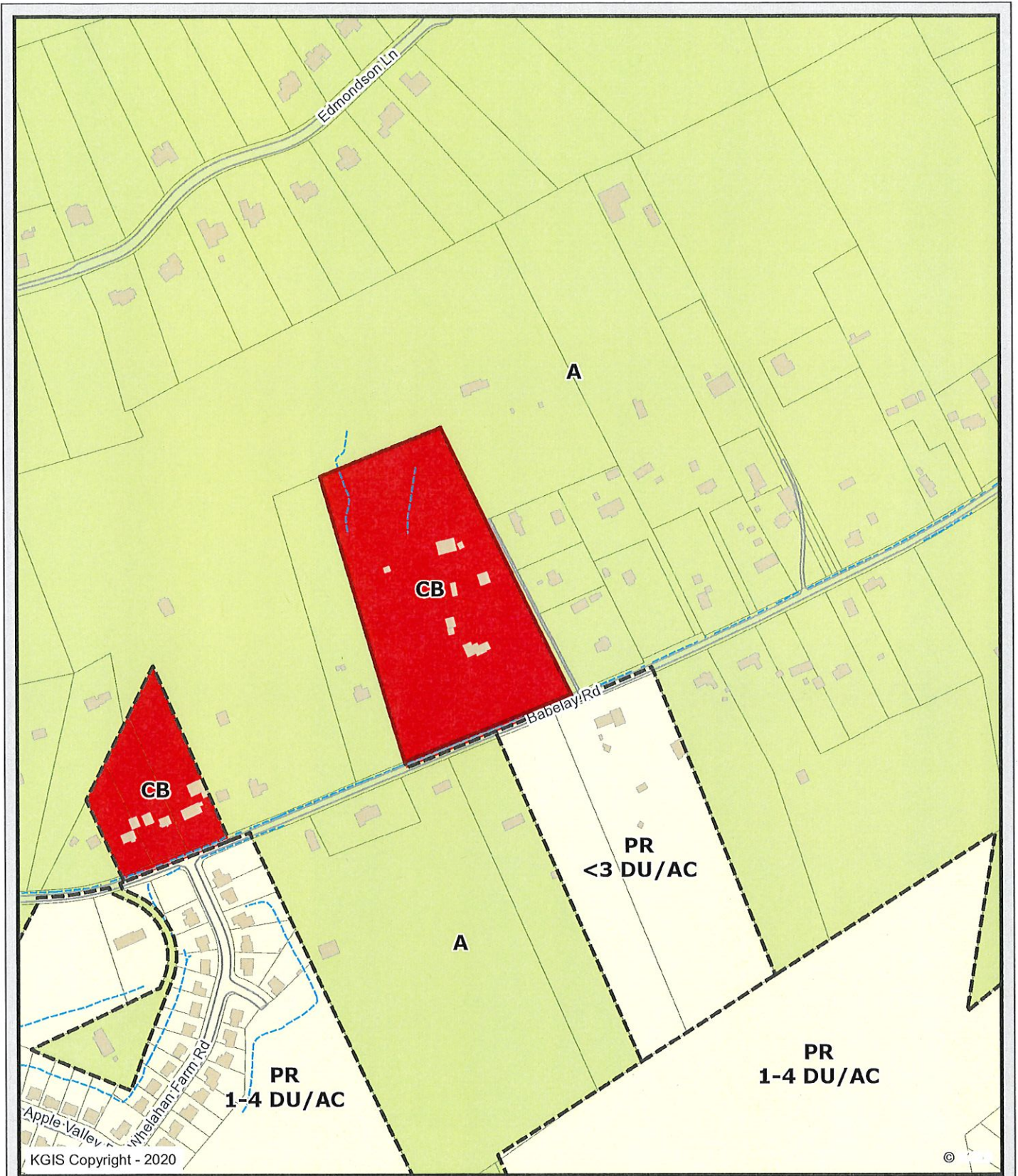
AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Leticia Hdez Leticia Hernandez 15 June - 2020
Applicant Signature Please Print Date

865-643-6700 leticia.hernandez1282@gmail.com
Phone Number Email

[Signature] Michelle Portier 6/15/2020
Staff Signature Please Print Date



Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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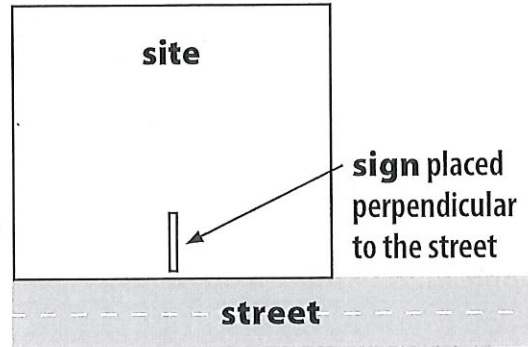
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

July 29, 2020 and August 14, 2020
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Leticia Hernandez

Printed Name: Leticia Hernandez

Phone: 865-643-6700 Email: leticia.hernandez1282@gmail.com

Date: July 29, 2020 6/15/2020

File Number: 8-B-20-RZ